

Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Town Of Lloyd For Real Property For The Hudson Valley Rail Trail West: Phase 4 (PIN 8761.21) In The Town of Lloyd– Department Of Planning

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, James F. Maloney, and Deputy Chairman Hector Rodriguez offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Planning; and

WHEREAS, the Ulster County Legislature adopted Resolution No. 139 of 2015 thereby establishing Capital Project No. 451 for the design and right-of-way incidentals work for the Hudson Valley Rail Trail West: Phase 4 (PIN 8761.21) in the Town of Lloyd, County of Ulster, State of New York (hereinafter the “Project”); and

WHEREAS, the Ulster County Legislature adopted Resolution No. 141 of 2015 thereby authorizing an agreement between the County of Ulster (hereinafter the “County”) and the New York State Department of Transportation (hereinafter “NYSDOT”) to fund engineering and right-of-way incidentals for the Project; and

WHEREAS, the Ulster County Legislature adopted Resolution No. 45 of 2016 pursuant to 6 NYCRR Part 617 et seq. of the Regulations of Article 8 of the Environmental Conservation Law of New York State (hereinafter “SEQRA”) thereby adopting and issuing a determination of non-significance under SEQRA (hereinafter the “Negative Declaration”); and

WHEREAS, the Ulster County Legislature adopted Resolution No. 237 of 2016 authorizing the County to pay in the first instance 100% of the federal and non-federal share of the cost of right-of-way acquisition work for the Project and appropriate and make the sum of \$84,835.00 available from Capital Project No. 451 to cover the estimated cost of the right-of-way acquisition; and

WHEREAS, the Ulster County Legislature adopted Resolution No. 466 of 2016 thereby increasing Capital Project 451 by \$41,040 to include additional expenses for engineering and right-of-way incidental work; and

Resolution No. 275 June 20, 2017

Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Town Of Lloyd For Real Property For The Hudson Valley Rail Trail West: Phase 4 (PIN 8761.21) In The Town of Lloyd– Department Of Planning

WHEREAS, the Ulster County Legislature adopted Resolution No. 52 of 2017 authorizing the County to acquire permanent easements from four private owners in order to implement this Project and increasing the Capital Project by \$36,715 for Land Acquisition; and

WHEREAS, in addition to the four easements from private owners, the County also needs to acquire an easement from the Town of Lloyd for construction of the Project on approximately 0.69 acres at the east end of the Project located on part of the Town of Lloyd's Parcel 87.2-8-8.211 ("Town of Lloyd Easement"); now, therefore be it

RESOLVED, the Ulster County Legislature hereby authorizes the Chairman of the Ulster County Legislature to execute, on behalf of the County of Ulster, any and all agreements and documents related to the acquisition of the Town of Lloyd easement as approved by the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Allen)

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on June 6, 2017

Passed Committee: Public Works and Capital Projects on June 7, 2017

Passed Committee: Ways and Means on June 12, 2017

FINANCIAL IMPACT:
\$1.00- BUDGETED 2017 APPROPRIATIONS

Resolution No. 275 June 20, 2017

Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Town Of Lloyd For Real Property For The Hudson Valley Rail Trail West: Phase 4 (PIN 8761.21) In The Town of Lloyd– Department Of Planning

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 20th Day of June in the year Two Thousand and Seventeen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 22nd Day of June in the year Two Thousand and Seventeen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
22nd Day of June, 2017.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
28th Day of June, 2017.

|s| Michael P. Hein
Michael P. Hein, County Executive